



**VILLAGE OF ESSEX JUNCTION  
TRUSTEES  
REGULAR MEETING AGENDA**

81 Main Street  
Essex Junction, VT 05452  
**Tuesday, July 23, 2019**  
**6:30 PM**

E-mail: [manager@essexjunction.org](mailto:manager@essexjunction.org)

[www.essexjunction.org](http://www.essexjunction.org)

Phone: (802) 878-6944

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
  - a. Comments from public on items not on agenda
5. **PUBLIC HEARING**
  - a. Public Hearing on proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan
6. **BUSINESS ITEMS**
  - a. Warn Public Hearing pursuant to 19 V.S.A Chapter 7 to determine if property owners through whose land the new section of Railroad Street, a portion of the Crescent Connector project, passes or abuts are entitled to damages, and the amount of those damages.
7. **CONSENT ITEMS**
  - a. Approve minutes: July 9, 2019
  - b. Renew fire truck note
  - c. Approve Recreational Facilities Grant for pickleball courts
  - d. Approve Warrant #17155—07/12/19;
8. **READING FILE**
  - a. Board Member Comments
  - b. General Ledger Budget Status Report June 2019
  - c. Upcoming meeting schedule
9. **EXECUTIVE SESSION**
  - a. An executive session is not anticipated
10. **ADJOURN**

*This agenda is available in alternative formats upon request. Meetings of the Trustees, like all programs and activities of the Village of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the Unified Manager's office at 878-6944.*

Certification: 07/19/2019 *mmitchell*  
Date Posted Initials

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
July 23, 2019**

**TRUSTEES PRESENT:** Andrew Brown; George Tyler; Dan Kerin; Amber Thibeault; Raj Chawla  
**ADMINISTRATION:** Evan Teich, Unified Manager; Sarah Macy, Finance Director/ Assistant Manager; Rick Garey, Chief of Police  
**OTHERS PRESENT:** Holly Anagous; Joe Breuer; Maxine Breuer; Ron Clarke; Tamara Clarke; Diane Clemens; Gail Cummings; Sandra Farrell; Colin Flanders; Bruce Griffin; Connie McDonald; Lindry Mucia; Melanie Needle, CCRPC Senior Planner; Bruce Post; Mary Post; Sarah Quinn; Susan Robinson; Margaret Smith; Mitch Stern; Gene White Jr.; Irene Wrenner

1. **CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Mr. Brown called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance.

2. **AGENDA ADDITIONS/ CHANGES**

Mr. Teich added item 6b to the agenda, a memo seeking approval for the Village President and the Unified Manager to have the authority to execute Crescent Connector easements with the railroad. He also added item 6c to the agenda, to warn a public hearing on the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan.

3. **APPROVE AGENDA**

**GEORGE TYLER made a motion, and DAN KERIN seconded, to add the two items discussed to the agenda. VOTING: 5-0; motion carried.**

4. **PUBLIC TO BE HEARD**

a. **Comments from public on items not on the agenda.**

- Susan Robinson clarified with Mr. Brown that dog ordinance comments from the public would be heard during the Joint Meeting of the Selectboard and Trustees.

5. **PUBLIC HEARING**

a. **Public Hearing on proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and proposed Essex Community Enhanced Energy Plan**

Ms. Needle explained that the adoption of a Comprehensive Plan takes place in municipalities on an 8-year cycle. She said that revisions to the current Essex Junction Comprehensive Plan began in February 2019 and have focused on ensuring state compliance with the forest walks policy, bike/pedestrian policy, enhanced energy plan and flood resilience planning. Ms. Needle said the Plan includes an overview of existing conditions that become the foundation for planning and zoning. Mr. Duggan noted that the updates in this version of the Plan did not include comprehensive changes because when the Town's Municipal Plan expires in 2024, the plan is to create a Comprehensive Plan for the whole community.

Ms. Needle requested approval from the Trustees of two proposed amendments to the Plan. These included an amendment to the Wasetwater Treatment Capacity section, on page 70, and the addition of a hyperlink to a Connector Road alignment map from the Crescent Connector Implementation Plan.

Ms. Thibeault noted that the Connector Road map is a preliminary map of the project and Mr. Teich further explained that it assumes an arrangement with the Railroad, which has not yet been

finalized. Planning Commissioner Ms. Clemens recommended that if the EJCP includes this link to a map embedded in the Implementation Report, then the original Design 5 Corners study should also be included, noting that this would provide important context. Ms. Clemens expressed concern that the addition of this map was not approved by the PC and includes details not fully discussed or finalized by the Chittenden County Regional Planning Commission CCRPC). She said it assumes that the reader knows about the process and results of the Design 5 Corners study.

Ms. Needle, the Trustees and staff discussed the tight timeline for warning the Public Hearing on the Comprehensive Plan and weighed whether or not including a hyperlink to the map would change the Plan or make it out of compliance in any way. Mr. Tyler wanted more information about why, if the map is considered to be preliminary, it was recommended to be included in Plan. Mr. Chawla suggested that the Comprehensive Plan be linked to the map and the Design 5 Corners study but Mr. Brown expressed concern that the Planning Commission had not provided final approval to include the map. Mr. Kerin noted that including a hyperlink will pose accessibility issues for some residents. Ms. Thibeault suggested removing the hyperlink from the plan, noting that verbiage about Design 5 Corners and the Implementation Plan are still included so the map hyperlink is not necessary.

**ANDREW BROWN made a motion, and RAJ CHAWLA seconded, that the Trustees include the updates/ edits to the wastewater section revision, as provided in the memo to the Municipal Plan, and approve the final Draft Plan in preparation for the Trustees Final Hearing on the municipal Plan August 13th. VOTING: 5-0; motion carried.**

**MELANIE NEEDLE provided a friendly amendment to the motion, accepted by ANDREW BROWN and RAJ CHAWLA, to add the words “and the Essex Community Enhanced Energy Plan” to the motion.**

**AMMENDED MOTION that the Trustees include the updates/ edits to the wastewater section revision, as provided in the memo to the Municipal Plan, and approve the final Draft Plan and the Essex Community Enhanced Energy Plan in preparation for the Trustees Final Hearing on the municipal Plan August 13th.**

- In further discussion, Mr. Tyler explained that he would vote nay on the motion because he would like more discussion on the reasons behind why the link to the Crescent Connector map was included, to determine whether it should be removed or not.

**VOTING: 4-1, with dissenting vote from Mr. Tyler; motion carried.**

## **6. BUSINESS ITEMS**

**a. Warn a Public Hearing pursuant to 19 V.S.A Chapter 7 to determine if property owners through whose land the new section of Railroad Street, a portion of the Crescent Connector project, passes or abuts are entitled to damages, and the amount of those damages**

Mr. Teich introduced the issue and explained that this is the second part of Crescent Connector's required warned meetings related to easements. He said that this motion would allow a meeting to be warned for August 29<sup>th</sup> at 6pm where Trustees will determine if property owners through whose land the new section of Railroad Street, a portion of the Crescent Connector project, passes or abuts are entitled to damages, and the amount of those damages. Mr. Brown pointed out that this meeting will primarily focus on property owners where there is not yet an agreement. The Trustees had no questions on this item.

**DAN KERIN made a motion, and GEORGE TYLER seconded, that the Village Trustees Motion to conduct a hearing pursuant to 19 V.S.A Chapter 7 to determine if property owners through whose land the new section of Railroad Street, a portion of the Crescent Connector project,**

passes or abuts are entitled to damages, and the amount of those damages. By Decision and Order dated July 17, 2019, the Village Board of Trustees ordered the condemnation of the new portion of Railroad Street which is to be located beginning at a point on Park Street approximately 875 feet south of the 5 Corners intersection, then extending north along Park Street to the New England Central Railroad (NECR) Burlington branch; along the east side of NECR's Burlington branch and crossing NECR's main line; continuing north across Maple Street; and then along the existing alignment of Railroad Street to the intersection of Main Street. The Village Board of Trustees will determine damages only for those properties who have not previously provided an easement or come to an agreement with the Village as to damages. VOTING: 5-0; motion carried.

**b. Approve the Village President and the Unified Manager to have the authority to execute Crescent Connector easements with the railroad.**

Mr. Teich explained that negotiations on the Crescent Connector easements with the railroad are in the final stages and if the Railroad agrees to the conditions, staff would like it signed quickly. He noted that the Village attorney said the easement agreement with the railroad can be signed by the Village President and/or Unified Manager, if they are granted this authority from the Trustees. The Trustees had no questions on this item.

**GEORGE TYLER made a motion, and RAJ CHAWLA seconded, that the Trustees give the Village President and the Unified Manager the authority to sign the Easement and C&M Agreements with the railroad for the purpose of securing temporary and permanent easements and a maintenance agreement for the Connector Road once the Village attorney and Village staff undertake a final review and sign off of same. VOTING: 5-0; motion carried.**

**c. Warn a public hearing on the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan**

Mr. Teich explained that, with the CCRPC and Planning Commission's presentations on the 2019 Comprehensive plan complete and documents ready for review and comment, the second/ final of two required hearings can be warned. Trustees had no questions on this item.

**RAJ CHAWLA made a motion, and AMBER THIBEAULT seconded that the Trustees warn a public hearing for Tuesday, August 13, 2019 at 6:30 p.m. at 2 Lincoln St., Essex Junction to hear comments about the proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan. VOTING: 5-0; motion carried.**

**7. CONSENT ITEMS**

**GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Trustees approve the Consent Items:**

- a. Approve minutes: July 9, 2019
- b. Renew fire truck note
  - Adopt the Resolution for Current Expense Borrowing and sign the Current Expense Note and the Resolution.
- c. Approve Recreational Facilities Grant for pickleball courts
- d. Approve Warrant #17155—07/12/19;

**VOTING: 5-0; motion carried.**

**8. READING FILE**

a. Board Member Comments

- Mr. Tyler shared that a resident discussed safety concerns with him about Maple Street Park's lack of video cameras. He proposed adding this issue to an upcoming Trustee agenda for further discussion. Mr. Chawla and Mr. Kerin talked about parameters related to what a video monitoring system should or should not do and encouraged further discussion on plate readers, timeframes for the deletion of tapes and where cameras should be located. They noted that this should be a joint discussion with EJRP and the Police Department.
- Mr. Brown congratulated the work of the Bike/Walk Advisory Committee for their work that contributed to Essex Junction's recent recognition as a Bronze Bicycle Friendly Community, a renewed status by the League of American Bicyclists.

b. General Ledger Budget Status Report June 2019

c. Upcoming meeting schedule

- Mr. Chawla mentioned conflicts with staff proposing to change meetings to the nights of the week that he works (Wednesdays and Thursdays)

9. **EXECUTIVE SESSION**

a. An executive session is not anticipated

No executive session took place

**ADJOURN**

**ANDREW BROWN called a Recess of the Trustees at 7:12 p.m., and reconvened for the Town of Essex Selectboard and Village of Essex Junction Trustees Special meeting at 7:15 p.m.**

Respectfully Submitted,  
Cathy Ainsworth